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6  
7 IN PROPRIA PERSONA

FILED

00 APR 25 PM 1:08

RICHARD W. WIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

8 **IN UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO**

9 ) **CASE NO.: C08-01803 EDL**

10 WILLIAM J. WHITSITT  
11 (PLAINTIFF)

12 -----VS-----

13 JEAN ZEDLITZ #1625

14 DUBLIN POLICE DEPARTMENT

15 R. LANCE & SON TOWING STORAGE AGENCY

16 CITY OF DUBLIN

17 COUNTY OF ALAMEDA

18 CREDIT REGULATING SERVICES, INC.

19 10 UNNAMED DEFENDANTS  
20 (DEFENDANTS)  
21  
22

**AMEND COMPLAINT  
SECTION 1983 TO ADD  
CREDIT REGULATING  
SERVICES FOR DAMAGING  
GOOD NAME, REPUTATION  
AND CREDIT RATING.**

23 I WILLIAM J. WHITSITT, do hereby Amend Complaint to Add another Cause of Action  
24 under the Color of State Law and to Add CREDIT REGULATING SERVICES. I Move the  
25 Court to Grant to me the Right I Retained in the Complaint to Add Defendants, Causes of  
26 Action and to Amend or Alter Complaint as Required of Needed. I Add the following Cause  
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28

**AMEND COMPLAINT TO ADD CREDIT REPORTING SERVICES -C08-01803EDL**

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of Action to Complaint to be part thereof and Decided with Original Complaint.

**(#10) - DENIAL OF THE RIGHT TO A GOOD NAME AND DAMAGE OF MY CREDIT UNDER THE COLOR OF STATE LAW.**

I do as Citizen have the Inalienable Constitutional and Civil Right to a Good Name and the Right to Good Credit Report. The Falsely Stated Credit Report by the Named Defendant (Credit Regulating Services Inc.) is part of Deprivation of the Right to Contract under the Fourteenth Amendment. It does Affect my Right to Contract My Labor and the Right Purchase Property under Credit Privileges. It also Affect my Right to Protection of My Good Named and Reputation. The Named Creditor acted Pursuant thereof a Conspiracy with the other Named Defendants Under the Color of State Law by Contractual Agreement. The Right to a Good Name and Reputation is a Constitutional and Civil Right. See: Paul v. Davis, 424 U.S. 693, 722 -723 (1976). The Importance of a Good Name and Reputation is Constitutionally Recognized as a Very Important Constitutional and Civil Right. It has Great Importance for future Jobs, buying Necessities on Credit and Standing in the Community. See: Wisconsin v. Constantineau, 400 U.S. 433, 437 (1971). The Court Recognized this is just not a mere abstract view, but as Paramount in a Citizens Standing in their Lives and Community.

The Named Creditor in Contractual Agreement did File a False Misrepresentation of Material Facts concerning the Forfeiture and Lien Sale of my Vehicle without Due Process of Law. They did File Lien against my Credit Rating for Forfeiture of my Vehicle without Forfeiture Hearing as Demanded for. The Right to a Good Name, Reputation is part thereof a Good Credit Report. Filing of a False and Misrepresentation of Facts of Forfeiture and Lien Sale with the Intent on Malice and Wanton, Willful and Knowing, Reckless Indifference to

1 My Constitutional and Civil Rights is a Legitimate Cause of Action pursuant to a Conspiracy  
2 Under the Color of State Law. They did Act Pursuant to a Conspiracy by Contractual  
3 Agreement with City Police and Tow Agency.  
4

5 State action within meaning of this section may be established under sufficiently close nexus test of Jackson v.  
6 Metropolitan Edison Co., 1974, 95 S.Ct. 449, 419 U.S. 345, 42 L.Ed.2d 477 or, in absence of nexus, under  
7 symbiotic relationship test illus Pkg. Aut U.S. 715.

8 The Nexus is a Contractual Agreement between City and Tow Agency to handle  
9 Collection of so-called Lien against Owner of Vehicle for Tow Charges, Storage Fees and City  
10 Administrative Costs and Fees. They have Contractual Agreement to Collect fees for the City  
11 and Tow Agency. They also have the Authority to make a Claim against the Owner of that  
12 Vehicle against their Good Named, Reputation and Credit Rating. The Named Creditor did make  
13 a Claim against my Reputation, Good Name and Credit Rating Pursuant to Action taken under  
14 the Color of State or Local Law. Thus acting pursuant to the same Action (Nexus) as the  
15 the Named Tow Operator, City of Dublin California. They acted Jointly with the Named  
16 Defendants because they are Named Defendant that handled the Lien Sale of my Vehicle  
17 (Private Property), Forfeiture in Denial of Forfeiture Hearing Due Process of Law.  
18  
19

20 For purposes of § 1983 claim, under "joint action test," private party acts under color of state law if he is willing  
21 participant in joint action with state or its agents. Lopez v. Department of Health Services, C.A.9 (Ariz.) 1991, 939  
22 F.2d 881.

23 They where a Willing Participant by Contractual Agreement under the Color of State  
24 Law, pursuant of a Conspiracy. The Named Creditor (Credit Regulating Services Inc.), did file  
25 a Lien against my Credit and Good, Reputation, with Willful Knowing, and Deliberate Intent  
26 on Malice to ruin, Injure and Damage Credit Rating, Good Name and Reputation. My Right  
27 to Good Name, Reputation and Credit Rating is a Protected Constitutional and Civil Right  
28

under the Fourteenth Amendment.

"Where a person's good name, reputation, honor, or integrity is at stake because of what the government is doing to him," due process guarantees must scrupulously be observed. Wisconsin v. Constantineau, 400 U.S. 433, 437 (1971). See also: Board of Regents v. Roth, 408 U.S. 564, 573 (1972) (same with respect to "any charge . . . that might seriously damage [a person's] standing and associations in his community"); Paul v. Davis, 424 U.S. 693, 722-723 (1976).... "Personal Liberty Right."

The Named Creditor while a Private Actor did act with Contractual agreement and agreed to act pursuant to the same Action under the Color of State Law and Municipal Corporation. Thus, the showing of a Nexus between Named Creditor, Tow Agency and City of Dublin California. Thus, establishing a Lawful Cause of Action against Named Creditor under the color and Guise of State Law (Section 1983).

I WILLIAM J. WHITSITT, William J. Whitsitt, THIS THE 24th DAY OF April 2008, DO HEREBY DECLARE AND AFFIRM THAT ALL THE ABOVE FACTS ARE TRUE AND CORRECT UNDER THE PENALTY OF LAW.

LET JUDICIAL NOTICE BE TAKEN HERE THAT A JURY TRIAL IS WAIVED AND I MASTER OF THIS CASE AND I WILL ALONE WILL DECIDE WHICH LAW IT WILL PROCEED UNDER. SEE: FAIR, THE, v. KOHLER DIE & SPECIALTY CO., 228 U.S. 22 (1913) .

RESPECTFULLY SUBMITTED

William J. Whitsitt

WILLIAM J. WHITSITT

DATED: April 24, 2008

DEFENDANT CONTACT INFORMATION

**CASE NO: C08-01803 EDL**

DUBLIN POLICE SERVICES

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Dublin CA 94568  
(925) 833-6687

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Livermore, CA 94550  
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CREDIT REGULATING SERVICES, INC.

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LIVERMORE, CA 94551  
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1 (925) 371 - 0199